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(SCIRI) Washington, DC**

What will it takes to achieve national reconciliation?

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What will it take to achieve national reconciliation?


Chairman Shays and distinguished members of the sub-committee,

First, allow me to express the deep appreciation and admiration – held by Iraqis across Iraq -
- for all the American men and women, military and civilians, who are trying hard to make Iraq succeed in partnership with Iraq's elected government.

Also, as we are remembering the fifth tragic anniversary of the 9 11 crime, I personally want to express my sincere condolences to the American people and the families who lost their loved ones.

1 - Introduction: Iraqi Politics


Since the day that Prime Minister Nouri Al-Maliki announced his courageous Reconciliation Plan on June 25, 2006, his goals have been clear and consistent: to open a dialogue with the insurgents, dismantle the Militias and implement certain measures to defuse the escalating sectarian tension and violence that has increased in the past few months, especially after the explosion at the Holy Shrine, known as the Golden Mosque, in Samara last February.



Clearly this terrible incident was an attempt by the terrorists to ignite a civil war among the Iraqis. And it is true; we have reached a very serious point which threatens the social and political infrastructure of Iraq, and this conflict has reached what so called "the balance of terror" and that the cycle of violence would lead nowhere. The Shiite's perspective is that they have been abused in general and subject to ethnic cleansing in particular. Shi'a in Iraq after the explosion at the Holy Shrine sees that neither the government nor the coalition forces are able to stop the terrorists from committing their acts. As we have seen, this crime precipitated violence among some Shiite extremists who turned to killing Sunnis, despite the fact that Shiite religious leaders forbade revenge.

The formation of the Iraqi government, with all six major slates participating, was predicated on both the election results and the national interest, which is the most basic motivation for Iraqi constituent participation. For instance, the Iraqi Accordance Front (IAF) which represents the three main Sunni political parties in parliament acquired 33.3% of the government's sovereign posts, despite the fact that their actual number of seats in the parliament should have been 16%. This was an equal number of posts to that of the UIA which won 47.5% of the parliamentary seats.

Thus, it is clear that despite the ongoing serious problems in Iraq, the Iraqi leaders understand that national unity and the rebuilding of Iraq are two key pillars which reinforce all other activities of this new government. Also, the notion that says the Sunnis in Iraq have been marginalized is unfounded in the sense that they are actively participating in this national unity government. This is not to deny the existence of dead-enders, including the Saddamists and terrorists who make up the insurgency.



However, the first priority now in Iraq is reconciliation. While it is true that national unity and the territorial integrity of Iraq are the two fundamental cornerstones of Iraqi politics, reconciliation is the immediate and most vital priority. This is understood and recognized by the Al-Maliki government. Reconciliation will bring together all political entities with active roles in the government.

The questions for today are: What are the Iraqis anticipating after the announcement of Prime Minister Nouri Al-Maliki's Reconciliation Plan? Do we expect that this government by its Reconciliation Plan can solve the problems of the Iraqis magically overnight, within a short period of time? Or will they have to be patient again? The facts that can be referred to and that are connected with the reconciliation initiative are:

First: Reconciliation is the only path forward for Iraq. This plan must focus on the Iraqis who have reservations about the current political process but, at the same time, avoid engaging with the terrorists and Baathists. As Maliki said, "the reconciliation will be neither with the terrorists nor the Saddamists."

Second: The Reconciliation Plan was endorsed by a wide range of Iraqi politicians, as well as the United States. Adnan al-Dulaimi, the leader of (IAF), said that the Reconciliation Plan was a "first step toward security and stability." President Jalal Talabani also said that Sunni insurgent groups had been in "negotiations with the Americans for a while now." Also, The United Iraqi Alliance's (UIA) leader, Abdul Aziz Al-Hakim announced his support for this plan at different points. Zalmay Khalilzad, the U.S. ambassador to Iraq, said he supports the Reconciliation Plan and urged Iraqi leaders "to move expeditiously in implementing this project" in order "to begin to take responsibility for bringing sectarian violence to an end." Khalilzad named two groups that he considered to be "irreconcilables": "those who want the old regime back and those who are al-Qaeda terrorist supporters."

Third: Reconciliation is an obligation for all Iraqis; it is a collective mission of all Iraqi religious, political and tribal leaders who should participate in the process to move Iraq from crisis to cohesion. Consequently, all Iraqi groups with no exemptions should get involved in the Reconciliation Plan, simply because it's a responsibility for all.


2 – The PM Reconciliation Initiative

Prime Minister Nouri Al-Maliki, in his 24-point national Reconciliation Plan, invited insurgents to lay down their weapons and join the political process, promising an amnesty for opponents who have not been involved in acts of terrorism, have not committed crimes, or war crimes and the formation of committees to release the innocent. He aimed to diminish the violence and defuse the insurgency.

The Reconciliation Plan also calls for strengthening Iraqi armed forces, and dismantling the militias and the other illegal armed groups with proper political, economical, and security solutions. The plan calls for pardoning detainees "who were not involved in war crimes and crimes against humanity," and for forming committees to secure the release of innocent prisoners as quickly as possible.

Al-Maliki said that "The launch of this national reconciliation and dialogue initiative should not be read as rewarding the killers and criminals or accepting their actions. There can be no agreement with them unless they are punished with justice." Al-Maliki's plan did not make a distinction between crimes against U.S. troops and crimes against Iraqis. The PM's plan contains a process for reviewing the De-bathification committee to make it work according to the constitution and judicial authority. The plan also urges the reluctant political groups to take a clear and strong position against the terrorists and Saddamists.

The plan recommended that the Iraqi government should open an active dialogue with the regional and Islamic countries, in particular the countries that are supporting or



overlooking the terrorist actions. Also, the plan included a pledge to compensate victims of terrorism and of the former government, and a commitment to building up the Iraqi armed forces in preparation for the withdrawal of foreign troops.

3 – Iraqi Faction Reservations and the International Role

Some Iraqi politicians have asserted that there are three main points that Al-Maliki's initiative disregarded: First, the time table for the departure of coalition troops, second, the lack of clear definition of terms like "insurgents," vs. "Saddamists," vs. "terrorists," vs. "resistance". And third, the initiative, as presented, provided few details about how the reconciliation process would unfold or who, specifically, would be pardoned, and what mechanisms could help in implementing the plan.

There is no doubt that offering all means to enable the elected government to be successful in its Reconciliation Plan will be to the benefit of Iraq, coalition troops, the region's stability, and the international community. It's worth mentioning that PM Al-Maliki had collaborated with all Iraqi leaders and the Arab League before unveiling his Reconciliation Plan, and he obtained their agreement and support for his initiative.


The Iraqi government will need regional support which should contribute seriously and effectively in developing the project of national reconciliation. Also, the regional states should stop viewing the newly elected government in Iraq as a threat to the regional systems. It is of the utmost importance to gain the support of the regional states to secure the borders and to dry up the financial resources that come into Iraq in support of terrorism which undermines security and stability of the country.




4 - What will it take to achieve national reconciliation?

Today, Iraqis have an elected government, after decades of tyranny and dictatorship. And, regardless of the huge challenges that it faces, it must succeed. Therefore, Iraqis need to set their priorities to help the government as it takes on huge challenges. By setting their priorities, Iraqis could easily control the chaotic situation. For instance, security isn't a priority for certain governorates in southern Iraq, and in Iraqi Kurdistan, reconstruction and investment might be the priority. On the contrary, security is a priority in Baghdad and the western governorates, and so for each governorate, according to the local circumstances and needs there. Also, it would be a big mistake for some Iraqi parties to exploit Iraqis' need for security and stability to impose their political agenda.

In spite of the challenges that the Iraqi government is facing in the short term and the heavy legacy that the Iraqis inherited from the former regime; in spite of the differences among Iraqis with respect to the new experience in Iraq of "one man, one vote", and in spite of the negative sectarian view of the regional countries who oppose the active participation of the Shiite in the government, Iraqis are achieving tangible progress on the political process, and security is showing relatively good progress as well.



Reconciliation is a process that will take time to show its results; also reconciliation is a precise balance of including new political forces that are presently outside the political process, and not causing problems with the current ones. Indicators that we can look at in this regard are the following: it does seem to be helping to prevent of a civil war among the Iraqis, the security getting better after the mutual security plan in Baghdad between the Iraqi forces and the coalition troops, and consequently there is a reduction in crimes in Aldourra neighborhood up to 80%, and in ALameriah neighborhood up to 70%. Also, the calls of dividing Iraq as a part of the solution to get rid of the current sectarian congestion have been



rejected and according to the recent independent polls and surveys that have all returned to the same conclusion: the absolute majority of Iraqis reject the idea of partition. One of the International Republican Institute (IRI) surveys mentioned to around 90% of the Iraqis against partitioning the country.

5 – The Factual Questions of the Reconciliation Plan

Al-Maliki's government is a national unity government that should enjoy the wide support of political parties as well as the different religious authorities. This will give Al-Maliki an enormous chance of winning, as long as he uses these relations with great impartiality. One of the indications that he is acting with impartiality his Reconciliation Plan, Also, he included a National Dialogue Ministry in his Cabinet for this purpose. Al-Maliki should make use of the Bush Administration's support for his government, which its officials, including president himself, have frequently indicated.

SCIRI believes that the key aspects of the Reconciliation Plan which include De-Baathification Reform, Amnesty Programs, Militia Demobilization, federalism, fair allocation of revenues from oil and gas fields and amending the Iraqi Constitution, need to be objectively studied by the Iraqi leadership to enable them to make a political compromise, subsequently to pass them through the Council of Representatives.

The serious questions facing the Reconciliation Initiative are:

First: The July 25, 2006 White House 'Fact Sheet' states the Reconciliation Project includes De-Baathification Reform, Amnesty Programs, Militia Demobilization, and Accountability for the ISF (Iraqi Security Forces).

*** - De-Baathification Reform:**

The Constitution mentions in Article (135 – A) that "The High Commission for De-Ba'athification shall continue its functions as an independent commission, in coordination with the judicial authority and the executive institutions within the framework of the laws regulating its functions. The Commission shall be attached to the "Council of Representatives." Also, the Reconciliation Plan in Article 9 says that "Reviewing the De-Baathification Committee according to the Constitution and submitting it to Judicial authority."

As for the Baath Party, the constitution mentioned as well in Article (7-A) that: "Any entity or program that adopts, incites, facilitates, glorifies, promotes, or justifies racism or terrorism or gives accusations of being an infidel (takfir) or ethnic cleansing, especially the Saddamist Ba'ath in Iraq and its symbols, under any name whatsoever, shall be prohibited. Such entities may not be political pluralism in Iraq. This shall be regulated by law."

From that, most Iraqi leaders agreed that transferring De-Baathification from its political category to the Judicial and Executive authority is good progress to redefine De-Baathification and put it in its right path. Consequently, only the Baathists whom were reported committing crimes should be submitted to justice. This new understanding changes the whole contentious concept of De-Baathification and de-politicizes it.

Also, the number of Baathists who were wanted for justice have been reduced from 10,000 to 6,000. Concerning the old army members, they have been called as individuals to join the current forces and have been set in the pay roll of the Defense Ministry. As for the restoring of the old army, it became a disputable issue and there is no agreement among political leadership to restore it.

*** - Militia Demobilization:**

(Article 9 – B) says “The formation of military militias outside the framework of the armed forces is prohibited.”). Dissolve the militias which are considered a decisive matter, as PM Al-Maliki always saying, towards stabilization through the legal channels in accordance with Law 91, which was enacted through deep negotiations during the time of the government of Iyad Allawi between the Iraqi parties and the Coalition troops.

This law should be applied in accordance with its following articles to help find a reasonable solution for the militias, and as the Prime Minister recently stated, the “Militia is a crucial factor in instability”:

- Elderly and ill people shall be paid retirement according to the law.
- Open work opportunities in different civilian ministries for those willing to work.
- Provide job opportunities to those who'd like to work for the Ministry of Defense and the Interior.
- Give rights to the martyrs of the militia, in accordance to the law.

*** - Amnesty Programs:**

In his Reconciliation Initiative (Article -5), Prime Minister Al-Maliki issued “Amnesty to all the prisoners who have not committed any war or terrorist crimes, or crimes against humanity.” Around three thousand prisoners have been released based on this plan.


The importance of the Reconciliation Plan is that the victories that the Iraqi and Coalition troops have achieved lately against the terrorists were a result of the cooperation of western Iraq, so that the terrorists lost their bases and shelters there. Indeed, it has become clear, recently, following the killing of Zarqawi, that the Saddamists (Baathists) have been responsible for fueling violence a lot more than the terrorists (takfeerists).

*** - Accountability to the ISF (Iraqi Security Forces):**

Accountability is necessary for rebuilding a new Iraq, but it should be part of a system that includes all Iraqi institutions, otherwise accountability will target one party and exclude others. For instance, Aljadiriyah bunker is just one case from many others that needs to be brought to justice. However, it is clear that all other cases against human rights during the periods of the past three governments must be brought to justice as well.

Regarding the good communication among the Iraqi leaders, the best way to bridge the differences among the political leaders is to activate and develop a political decision kitchen, exactly the same as what happened during the constitutional process once all the contentious points transferred to the political leaders. Also, deadlines for political agreements always depend on the parties' will and interests and how many concessions the leaders are willing to offer. Setting a time table will be crucial for all contentious issues that need to be solved. Furthermore, the Bush Administration could play an important role in supporting the leaders.

Second: On June 14, 2006, President Bush advised the Iraqi Government “to use their energy assets as a way to unite the country ... that people ... who may not have oil resources in their provinces, ... would have a stake in how the resources are developed elsewhere in the country.”




The Iraqi Constitution creates some confusion on the Oil issues that need to be clarified by the Representatives Council. The constitution states in Article 111 that "Oil and gas are owned by all the people of Iraq in all the regions and governorates." At the same time in Article 112 it states: "The federal government, with the producing governorates and regional governments, shall undertake the management of oil and gas extracted from present fields, provided that it distributes its revenues in a fair manner in proportion to the population distribution in all parts of the country"

Also, the reviewing and amendments for certain articles in the constitution comes under the Article (142 – 1, 2, 3) which says: "First: The Council of Representatives shall form at the beginning of its work a committee from its members representing the principal components of the Iraqi society with the mission of presenting to the Council of Representatives, within a period not to exceed four months, a report that contains recommendations of the necessary amendments that could be made to the Constitution, and the committee shall be dissolved after a decision is made regarding its proposals."

The real interpretation of Article # 111 is that all oil, gas, and other natural resources for the current fields or the ones which will be discovered in the future are all owned by the people of Iraq in all the regions and governorates. Revenues from these resources will then be distributed among the Iraqis in a fair manner in proportion to the population distribution in all parts of the country.

Third: Ambassador Khalilzad on July 11, 2006 said the Iraqi Constitution "provided a fast-track amendment process."




The main contentious issues in the constitution include two main points, the Powers of the Regions and Federalism in general. The Powers of the Regions include the oil revenues and the rights of forming federations.

Article 119: says "One or more governorates shall have the right to organize into a region based on a request to be voted on in a referendum submitted in one of the following two methods: First: A request by one-third of the council members of each governorate intending to form a region. Second: A request by one-tenth of the voters in each of the governorates intending to form a region."


During the discussions of the constitution last summer, the Iraqi political leadership agreed to review the contentious articles in the constitution within four months. Initially, there is no major concern regarding any amendment if it would go through a legal process. To make this mission succeed, the political leadership should come to a mutual understanding before transferring the contentious articles to the Council of Representatives to make sure that the amendments will be passed. All proposals that are handed over to the Council of Representatives are debatable as long as they don't violate the Constitution.

Concerning the time that the amendment process will take, the Iraqi political leadership has to make a bargain regarding all contentious issues, and that alone will not take more than three months. But if these issues transfer directly to the Council of Representatives the amendments will not be as easy to pass.

Fourth: What is likely to happen if Iraq fails to achieve national reconciliation? And what action should the United States take then?




In accordance with the past three months of activity on the part of the new, permanent government, Iraq analysts and others argue that it needs to show competence



and activity to improve its performance in order to achieve its goals. Therefore, one of the most significant challenges for the government is to get the Reconciliation Plan completed and any failure in this sense could cause additional problems for the government. In as much as this government is formed out of 6 major slates of the winners in the December 2005 elections, so its support must be a collective mission as well.

Furthermore, the Iraqi-American strategic partnership makes it necessary for full cooperation to solve all previous mistakes that happened during the past three years. In the security area, that Iraqis should have full control of the security issue is of utmost importance, after enabling them to do the job properly, since the transferring of power to the Iraqi forces from the coalition troops in the secure governorates is still underway.

The relationship between the coalition forces and the Iraqi government represents the focal point in bringing the security project to success in Iraq, and in light of the successful existing experience between the Iraqi forces and coalition troops achieve their common goals and make good progress in the security plan of Baghdad. Iraqis recognize that our mutual mission of democratizing and stabilizing Iraq must be achieved together. In view of this, any talking about the withdrawal of these forces unilaterally would definitely lead to the failure of the Iraqi experience in addition to strengthening terrorism, which is the first enemy to the Reconciliation Plan.



The question of What is likely to happen if Iraq fails to achieve national reconciliation? And what action should the United States take then? It is definitely a hypothetical question, and the question would be, does the reconciliation's goal to bring only the insurgents to the political process, or the Reconciliation Plan about enabling the government by easing the pressure on it, and that what we believe in? Furthermore, any reflection of the current security congestion and the government slowness in order to look for a justification of the reconciliation failure would certainly influence negatively the whole progress in Iraq and the government's role as well.

6 – Factors that are helping Reconciliation Plan to Succeed

1 – The Reconciliation Plan needs a proper political and social environment to work in, from that Al-Maliki's government needs to be enabled to achieve its agenda and to make substantial progress in security, services, economic improvements, etc. Also, Al-Maliki frequently mentioned that some members of the cabinet do not meet the expected level of proficiency essential for their positions. One of the most important steps at this point is finding qualified members to replace the unqualified ones regardless of the political quota. PM Al-Maliki mentioned many times that he is about to replace members of his cabinet.

2 – In the Iraqi permanent constitution Iraqi is a single federal and democratic state, however the political parties must accept the reality that federalism is the proper governing system for all Iraqi territories. Also, they must reach an agreement regarding real concessions that they have to offer to avoid any obstacles and to pave the way of the PM's Reconciliation Plan.

3 – Iraqi political leadership must reach a mutual understanding concerning the old regime's crimes against the Iraqis and humanity, and concerning a united effort to defeat current terrorist actions as well. Prime Minister Al-Maliki stated in his Reconciliation Plan that political leaders should use a reasonable political message through an honest and transparent national dialogue, to avoid any contradictions on the Reconciliation Plan and to get unanimity on the national constants.

4- The activation of the Political Committee of the National Security Council on condition that it represents all Iraqi political leaders to make it the Iraqi political decision kitchen. Also, the activation of the other Iraqi constitutional institutions including the current weak judiciary and anticorruption committee is badly needed.

5 – The regional countries have to play a positive role, and the government should open an active dialogue with them. There is no doubt that offering all means to make the government successful will be in the benefit of Iraq, the coalition troops, the region's stability, and the international community.

6 – The cooperation of the international community in supporting the Iraqi government in rebuilding Iraq by improving the economy, encouraging investments in the secure governorates for the first stage, and opening political and diplomatic channels for the new government.

7 - The Reconciliation and National Dialogue Committee needs to be empowered by different means including money. Also, the government needs to solve the security problem in different governorates such as Baghdad and Diyala. The government should continue its dialogue with the armed and unarmed groups in and outside Iraq. Also, it is very important that Iraqi's in the education sector work to establish a long term reconciliation educational system all through Iraqi governorates.

7 – Conclusion

The key to the success of the Reconciliation Plan relies on the political will of the Iraqi leadership and the government, and the cooperation between the two. Iraqis recognize that the Reconciliation Plan is all about enabling the government by easing the pressure on it, bringing all Iraqis together to the political process to preserve the unity of Iraq, and paving the way for the government to stabilize the country and to serve them. The Iraqi population's diversity enhances the national unity; it also enables Iraq to develop closer and fundamental relations with neighboring countries with whom it shares historical, cultural, or religious characteristics.

Iraq can achieve a major guarantee of stability and progress only through embracing Democracy, the rule of law which guarantees the system of checks and balances, the independence of the judiciary, and respect for freedom and human rights. Along with the Iraqi stability, the region's stability will definitely be preserved as well.

The Iraqi Constitution allows for the creation of regions within the country. However, it has also established the mechanism which will ensure the continuity of the unity of Iraq. Indeed, article 111 in the Constitution stipulates clearly that the country's wealth is the property of all the population of Iraq and that the revenues must go to the Federal Government. This text constitutes a strong guarantee of the unity of Iraq and strengthens the bonds between the various regions and the Federal State.

Due to the different challenges in Iraq, the Iraqi government, with its Reconciliation Plan, has a long way to go until it can make any significant difference. This will put an extra burden on the Iraqi leadership and The Bush Administration influence and leverage over the course of sustaining Al-Maliki's government until it achieves its mission in the Reconciliation Plan or in the other urgent developments of the security and economic issues.